
OLR Bill Analysis

sHB 6390

AN ACT CONCERNING ACCESS TO POSTSECONDARY EDUCATION.

SUMMARY:

This bill extends in-state tuition benefits to post secondary students without legal immigration status who reside in Connecticut and meet certain criteria. By law, with limited exceptions, eligibility for in-state tuition is based on an applicant's domicile, that is, his or her "true, fixed and permanent home" and the place where he or she intends to remain and return to when he or she leaves.

Under the bill, a person, except a nonimmigrant alien (someone with a visa permitting temporary entrance to the country for a specific purpose), qualifies for in-state tuition if he or she:

1. resides in Connecticut;
2. attended any educational institution in the state and completed at least four years of high school here;
3. graduated from a high school in Connecticut, or the equivalent; and
4. is registered as an entering student, or is currently a student at, UConn, a Connecticut State University, a community-technical college, or Charter Oak State College.

People without legal immigration status who meet the above criteria, must file an affidavit with the college stating that they have applied to legalize their immigration status or will do so as soon as they are eligible to apply. (Currently, such persons who apply for student visas or lawful permanent resident status are subject to

deportation under federal law. Thus, they are not eligible to apply to legalize their status unless federal law is amended to allow them to do so.)

By law, “resides” means continuous and permanent physical presence within the state. The establishment of residence is not affected by temporary absence for short periods of time.

EFFECTIVE DATE: July 1, 2011

BACKGROUND

Reference to Federal Law

The bill references a federal statute (8 USC § 1621(d)), which provides that an alien not lawfully present in the U.S. is eligible for certain state and local public benefits, including postsecondary education benefits, only through the enactment of a state law that affirmatively provides for such eligibility.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 11 Nay 8 (03/17/2011)